

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

PATRICK WOOD CRUSIUS

Defendant.

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EP-20-CR-00389-DCG

ORDER RESETTING DOCKET CALL

On this day, the Court *sua sponte* considered the above-captioned case. In communications with the Court, on April 28, 2021, the parties requested the Court for a continuance of the currently scheduled May 3, 2021 Docket Call because of the need for investigation and/or preparation of the defense due to complex discovery. Both parties agreed that that the interest of justice outweigh the interest of Defendant and the public in a speedy trial and agree that the timing from the scheduled docket calls through the next docket call, is excludable time within the meaning of the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.* After due consideration, the Court is of the opinion that the parties' request should be granted.

Accordingly, **IT IS HEREBY ORDERED** that the currently scheduled docket call on Monday, May 3, 2021, at 8:30 a.m. MDT., see Order Setting Docket Call (ECF No. 166), is **VACATED**.

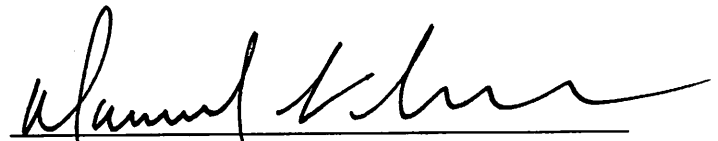
IT IS FURTHER ORDERED that the above entitled and numbered case is **SET** for **DOCKET CALL** via Zoom video conference on **Tuesday, August 3, 2021, at 8:30 a.m. MDT.**

IT IS FURTHER ORDERED that the time period of the continuance implemented by this Order **SHALL** be excluded under the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.*

Specifically, the Court finds that the interest of justice outweigh the interest of the Defendant and

of the public in a speedy trial, in that more time is needed by Defendant for preparation of the defense in this case. Moreover, considering the facts and findings in Chief Judge Orlando Garcia's "Order[s] Regarding Court Operations Under the Exigent Circumstances Created by the COVID-19 Pandemic," the Court also believes that the ends of justice are best served by continuing the proceedings because of the exigent circumstances created by the COVID-19 pandemic. These exigent circumstances include the severity of the risk to those who would otherwise be required to work in close quarters absent a continuance, and the public-health matters that weigh in favor of reducing the size of public gatherings and travel. Indeed, the Court finds that the best interests of the public are served by this continuance. Hence, the ends of justice outweigh the best interests of the public and Defendant in a speedy trial.

So ORDERED and SIGNED this 29th day of April 2021.



DAVID C. GUADERRAMA
UNITED STATES DISTRICT JUDGE